

PTO/SB/08A (08-03)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Complete if Known

Application Number	10/609,113
Filing Date	June 27, 2003
First Named Inventor	Scott B. Bintrim
Art Unit	1636
Examiner Name	
Attorney Docket Number	DAS-101XC2

Sheet 1 of 2

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 6,043,415	03-28-2000	Strizhov et al.	columns 3-18
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁴
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

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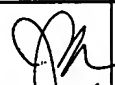
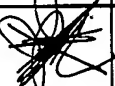
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Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

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	2	HARRISON, H. et al., "Paenibacillus Associated with Milky Disease in Central and South American Scarabs," J. Invertebr. Pathol. (October 2000), pp. 169-175, Vol. 76, No. 3	
	3	PATEL, R. et al., "Detection of Two New cry Genes in Paenibacillus popillae," Abstracts of the General Meeting of the American Society for Microbiology (May 24, 2000), p. 476, vol. 100 (abstract)	

Bibliograph
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Abstract
not provided

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	U1	US- 5,712,248	01-27-1998	Kalman <i>et al.</i>	All
	U2	US-			
	U3	US-			
	U4	US-			
	U5	US-			
	U6	US-			
	U7	US-			
	U8	US-			
	U9	US-			

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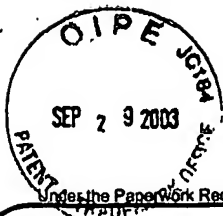
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Sheet 3 of 4

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	16	CRICKMORE et al., "Revision of the Nomenclature for the Bacillus thuringiensis Pesticidal Crystal Proteins," Microbiol. Mol. Bio. Review (9/98), p. 807-813, vol. 62, no. 3	
	17	FFRENCH-CONSTANT et al., "Novel insecticidal toxins from nematode-symbiotic bacteria," Cellular and Mol. Life Sciences (5/00), p. 828-833, vol. 57, no. 5 (abstract)	
	18	FFRENCH-CONSTANT et al., "A Genomic Sample Sequence of the Entomopathogenic Bacterium Photorhabdus...", Appl. Environ. Microbiol. (8/00), p. 3310-3329, vol. 66, no. 8	
	19	FORST et al., "Molecular Biology of the Symbiotic-Pathogenic Bacteria Xenorhabdus spp. and Photorhabdus spp.," Microbiological Reviews (3/96), p. 21-43, vol. 60, no. 1	
	20	HOFTE et al., "Insecticidal Crystal Proteins of Bacillus thuringiensis," Microbiological Reviews (6/89), p. 242-255, vol. 53, no. 2	
	21	MORGAN et al., Xenorhabdus nematophilus genes, GENBANK Accession No. AJ308438 (May 11, 2001)	
	22	MORGAN et al., "Sequence Analysis of Insecticidal Genes from Xenorhabdus nematophilus PMF1296," Appl. Environ. Microbiol. (5/01), p. 2062-2069, vol. 67, no. 5	
	23	PETTERSSON et al., "Transfer of Bacillus lentimorbus and Bacillus popilliae to the genus Paenibacillus...", Int. J. Syst. Bacteriol. (1999), p. 531-540, vol. 49, no. 2 (abstract)	
	24	SHIDA et al., "Emended description of Paenibacillus amylolyticus and description of Paenibacillus...", Int. J. Syst. Bacteriol. (1997), p. 299-306, vol. 47, no. 2 (abstract)	
	25	WATERFIELD et al., "Oral Toxicity of Photorhabdus luminescens W14 Toxin Complexes in Escherichia coli," Appl. Environ. Microbiol. (11/01), p. 5017-5024, vol. 67, no. 11	

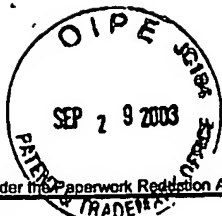
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PTO/SB/088 (04-03)

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Filing Dat	June 27, 2003
First Named Inventor	Scott B. Bintrim
Art Unit	
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Attorney Docket Number	DAS-101XC2

Sheet	4	of	4
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NON PATENT LITERATURE DOCUMENTS

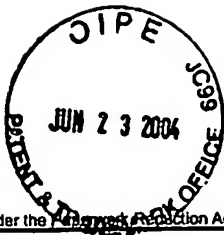
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	26	WIDNER et al., "Two Highly Related Insecticidal Crystal Proteins of Bacillus thuringiensis subsp. kurstaki Possess...." J. Bacteriol. (2/89), p. 965-974, vol. 171, no. 2	
	27	ZHANG et al., "Cloning and Analysis of the First cry Gene from Bacillus popilliae," J. Bacteriol. (7/97), p. 4336-4341, vol. 179, no. 13	

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	1	US- 6,528,484	03-04-2003	Ensign et al.	(Please review all)
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	2	WO 97/17432 A1	05-15-1997	Ensign et al.	Pls review all	
	3	WO 98/08932 A1	03-05-1998	Ensign et al.	Pls review all	
	4	WO 98/50427 A1	11-12-1998	Ensign et al.	Pls review all	

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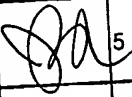

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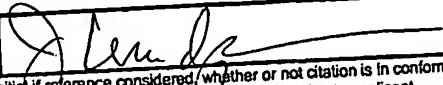
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	5	BOWEN, D. et al., Photorhabdus luminescens insecticidal toxin complex proteins.... GENBANK Accession No. AF046867 (June 30, 1998)	
	6	BOWEN, D. et al., insecticidal toxin complex protein TcaC (Photorhabdus luminescens), GENBANK Accession No. AAC38625 (June 30, 1998)	
	7	CAMPOBASSO, N. et al., Chain A, Thiaminase I from Bacillus thiaminolyticus, GENBANK Accession No. 2THI_A (September 17, 1998)	
	8	COSTELLO, C.A. et al., Thiaminase I precursor, GENBANK Accession No. AAC44156 (July 22, 1996)	
	9	DONOVAN, W.P. et al., Bacillus thuringiensis cryIIIB2 gene, complete cds. GENBANK Accession No. M89794 (April 26, 1993)	
	10	HERRNSTADT, C. et al., B. thuringiensis cryC gene encoding delta-endotoxin, 5' end, GENBANK Accession No. M22472 (April 26, 1993)	
	11	HURST, M.R. et al., SepB (Serratia entomophila), GENBANK Accession No. AAG09643 (November 5, 2003)	
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	13	LAMBERT, B. et al., B. thuringiensis cryIIID gene for coleopteran-active insecticidal crystal protein, GENBANK Accession No. X59797 (March 10, 1992)	
	14	MORGAN et al., XptB1 protein (Xenorhabdus nematophila), GENBANK Accession No. CAC38402 (May 11, 2001)	

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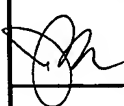
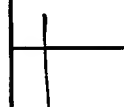
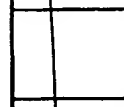

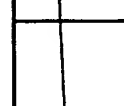
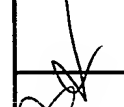
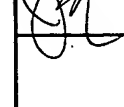

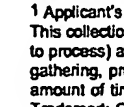
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		Application Number	10/609,113		
		Filing Date	June 27, 2003		
		First Named Inventor	Scott B. Bintrim		
		Art Unit			
		Examiner Name			
Sheet	3	of	3	Attorney Docket Number	DAS-101XC2

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	15	MORGAN et al., XptC1 protein (Xenorhabdus nematophila), GENBANK Accession No. CAC38403 (May 11, 2001)	
	16	SICK, A. et al., Bacillus thuringiensis cryIIIB gene for coleopteran-active delta-endotoxin (partial), GENBANK Accession No. X17123 (June 22, 1992)	
	17	WATERFIELD, N.R. et al., Itoxin complex protein (Photobhabdus luminescens), GENBANK Accession No. AAL18473 (October 25, 2001)	
	18	WATERFIELD, N.R. et al., TcdB1; toxin complex protein (Photobhabdus luminescens), GENBANK Accession No. AAL18487 (July 17, 2003)	
	19	WATERFIELD, N.R. et al., TccC2 (Photobhabdus luminescens), GENBANK Accession No. AAL18492 (July 17, 2003)	
	20	WATERFIELD, N.R. et al., TccC4 (Photobhabdus luminescens), GENBANK Accession No. AAO17196 (July 17, 2003)	
	21	WATERFIELD, N.R. et al., TcdB2 (Photobhabdus luminescens), GENBANK Accession No. AAO17202 (July 17, 2003)	
	22	WATERFIELD, N.R. et al., TccC3 (Photobhabdus luminescens), GENBANK Accession No. AAO17204 (July 17, 2003)	
	23	WATERFIELD, N.R. et al., TccC5 (Photobhabdus luminescens), GENBANK Accession No. AAO17210 (July 17, 2003)	

Examiner Signature		Date Considered	4/11/06
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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